THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

# PERMIT

Form (2)
No. 297
27-4-2015

Permit No. 940/2015 Date 27th, April 2015

This Permit is issued by the Myanmar Investment Commission according to the section 13 (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter U KO KO GYI @ U SOE NAING

(b) Citizenship MYANMAR

(c) Address NO. 34, UNIVERSITY AVENUE ROAD, BAHAN TOWNSHIP, YANGON

(d) Name and Address of Principal Organization GREEN LAND INTERNATIONAL LIMITED, NO.(126/A), KABARAYE PAGODA ROAD, BAHAN TOWNSHIP, YANGON

(e) Place of incorporation MYANMAR

(f) Type of Investment Business MANUFACTURING AND DISTRIBUTION OF WHEAT FLOUR

(g) Place(s) at which investment is permitted PLOT NO.(53,54,55,56), MYAY TAING BLOCK NO.(113), INDUSTRIAL ZONE, EAST DAGON TOWNSHIP, YANGON REGION

(h) Amount of Foreign Capital US$ 1.8 MILLION

(i) Period for Foreign Capital Brought in WITHIN (2) YEAR FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 12.03 MILLION (INCLUDING US$ 1.8 MILLION)

(k) Construction period -

(l) Validity of Investment Permit 50 YEARS

(m) Form of Investment JOINT VENTURE

(n) Name of Company Incorporated in Myanmar GREEN LAND INTERNATIONAL LIMITED

Chairman

The Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

# ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၉၄၀ / ၂၀၁၅ ၂၀၁၅ ခုနှစ်၊ ဧပြီလ ၂၄ ရက်

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော် နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ(ခ)အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေး လိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူအမည် ဦးကိုကိုကြီး(ခ)ဦးစိုးနိုင်

(ခ) နိုင်ငံသား မြန်မာ

(ဂ) နေရပ်လိပ်စာ အမှတ်-၃၄၊ တက္ကသိုလ်ရိပ်သာလမ်း၊ ဗဟန်းမြို့နယ်၊ ရန်ကုန်မြို့

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ GREEN LAND INTERNATIONAL LIMITED၊ အမှတ်၊ ၁၂၆/ဒေ၊ ကမ္ဘာအေးဘုရားလမ်း၊ ဗဟန်းမြို့နယ်၊ ရန်ကုန်မြို့

(င) ဖွဲ့စည်းရာအရပ် မြန်မာနိုင်ငံ

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား ဂျုံကြိတ်ခွဲ ထုတ်လုပ်ခြင်းနှင့် ဖြန့်ဖြူး ရောင်းချခြင်းလုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ် (၅၃၊ ၅၄၊ ၅၅၊ ၅၆)၊ မြေတိုင်း ရပ်ကွက်အမှတ် ၁၁၃၊ စက်မှုဇုန်၊ ဒဂုံမြို့သစ်(အရှေ့ပိုင်း)မြို့နယ်၊ ရန်ကုန်တိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၁.၈ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိသည့် နေ့မှ (၂) နှစ် အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၁၂.၀၃သန်း နှင့်ညီမျှသော မြန်မာကျပ်ငွေ (အမေရိကန်ဒေါ်လာ ၁.၈ သန်းအပါအဝင်)

(ဋ) တည်ဆောက်မှုကာလ -

(ဌ) ရင်းနှီးမြှုပ်နှံမှုခွင့်ပြုသည့် သက်တမ်း ၅၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင်ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် GREEN LAND INTERNATIONAL LIMITED

ဥက္ကဋ္ဌ

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

# THE REPUBLIC OF THE UNION OF MYANMAR
## MYANMAR INVESTMENT COMMISSION

No.(1), Thitsar Road, Yankin Township, Yangon

Our ref : DICA-2/ FI- 119/ 2015( 297 ) Tel: 01-658127

Date : 27th April 2015 Fax: 01-658136

**Subject :** **Decision of the Myanmar Investment Commission on the Proposal for "Manufacturing and Distribution of Wheat Flour" under the name of Green Land International Limited.**

Reference: Green Land International Limited Letter dated (2-2-2015)

1. The Myanmar Investment Commission, at its meeting ( 5/2015) held on (20-3-2015) had approved the proposal for investment in "Manufacturing and Distribution of Wheat Flour" under the name of "Green Land International Limited" submitted as a Joint Venture between Diamond Star Co., Ltd. 85% from the Republic of the Union of Myanmar and MC Food Holdings Asia Pte. Ltd. 15% from Japan.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to the Republic of the Union of Myanmar Foreign Investment Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 50 (fifty) years and extendable for 10(ten) years in 2(two) times commencing from the date of the issuance of Myanmar Investment Commission permit. The leased term of land and building shall be initial 50 (fifty) years and extendable for 10 (ten) years in 2 (two) times commencing from the date of signing of the Lease Agreement for land and building by mutual agreement between PAC Link Trading Limited (lessor) and Green Land International Limited (lessee).

4. The annual rent for land and building shall be US$ 908,990.54 (United States Dollar nine hundred and eight thousand, nine hundred and ninety and fifty four cents only) calculated at the rate of US$ 24 per square meter per year of the total area measuring 9.361 acres (37874.606 square meters). The rate of rent shall be reviewed in every 5 (five) years term and the rent shall be adjudged on the prevailing market rate.

5. Since it was recorded that Green Land International Limited operated under Myanmar Citizens Investment Law had started the commercial operation with effect from the date 2nd August 2013. In light of this, tax exemption from income tax up to five consecutive years starting from 2nd August 2013 until 1st August 2018 can be enjoyed, stipulated in section 27(a) of the Republic of the Union of Myanmar Foreign Investment Law.

6. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per section 27 (i) and (k) of the Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section-27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(b) As per section-27(k), exemption or relief from commercial tax on the goods produced for export;

7. Green Land International Limited shall have to sign the Land and Building Lease Agreement with PAC Link Trading Limited. Moreover, Diamond Star Co., Ltd. shall have to sign the Joint Venture agreement and Shareholders' Agreement with MC Food Holdings Asia Pte Limited. Lluvia Limited, MC Food Holdings Asia Pte. Limited, Diamond Star Company Limited and Mitsubishi Corporation shall have to sign the Credit Line Agreement. Green Land International Limited shall have to sign the Shareholders' Loan Agreement

with MC Food Holdings Asia Pte. Limited and Diamond Star Company Limited. After signing the Agreement, each of(5) copies shall have to be forwarded to the Commission.

8. Green Land International Limited in consultation with the Division of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5) copies each of Certificate of Incorporation and Memorandum of Association and Articles of Association shall have to be forwarded to the Commission.

9. Green Land International Limited shall use its best efforts for timely realization of work stated on the proposal. If none of such work has been commenced within one year from the date of issue of this "Permit", it shall become null and void.

10. Green Land International Limited shall endeavour to meet the targets for production and for export stated in the proposal as the minimum target.

11. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section-2(i) of the Foreign Investment Law, other than foreign currency.

12. Whenever Green Land International Limited brings in foreign capital defined under Chapter I, section-2(i) of the Foreign Investment Law, other

than foreign currency in the manner of paragraph 11(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

13. Green Land International Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

14. Green Land International Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

15. Green Land International Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct an Environmental Impact Assessment (EIA) Process and an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and be abided by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

16. Green Land International Limited shall be responsible for the carrying out of Environmental and Health Impact Assessment (EHIA) with Third Party and submit to relevant Ministry and departments. Environmental Mitigation and Management Plan (EMMP) and Occupational Safety and Health must be included in this Environmental and Health Impact Assessment (EHIA).

17. After getting permit from Myanmar Investment Commission, Green Land International Limited shall have to be registered at the Directorate of Industrial Supervision and Inspection.

18. Green Land International Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments.

19. Payment of principal and interest of the loan as well as payment for import of raw materials and spare parts etc., shall be made either out of the local sales in Kyat currency and US$ or from export earnings of Green Land International Limited.

20. Green Land International Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)

Chairman

Green Land International Limited

cc: 1. Office of the Union Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs

4. Ministry of Environmental Conservation and Forestry
5. Ministry of Electric Power
6. Ministry of Immigration and Population
7. Ministry of Industry
8. Ministry of Commerce
9. Ministry of Health
10. Ministry of Finance
11. Ministry of National Planning and Economic Development
12. Ministry of Labour, Employment and Social Security
13. Central Bank of Myanmar
14. Office of the Yangon Regional Government
15. Director General, Fire Service Department
16. Director General, Department of Environmental Conservation
17. Managing Director, Myanma Electric Power Enterprise
18. Director General, Immigration and National Registration Department
19. Director General, Directorate of Industrial Supervision and Inspection
20. Managing Director, Pharmaceutical and Foodstuff Industries
21. Director General, Directorate of Trade
22. Director General, Food and Drugs Administration (FDA)
23. Director General, Customs Department
24. Director General, Internal Revenue Department
25. Director General, Directorate of Investment and Company Administration
26. Director General, Directorate of Labour
27. Managing Director, Myanma Foreign Trade Bank
28. Managing Director, Myanma Investment and Commercial Bank
29. Managing Director, Myanma Insurance
30. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)

Form (2)

Sr. No. 360

Date 13.5.2015

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

# PERMIT

Permit No. 954/2015 Date: 13, May 2015

This Permit is issued by the Myanmar Investment Commission according to the section 13, sub-section (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. SHIGERU SUGIMURA

(b) Citizenship JAPANESE

(c) Address 13-10 TENJINCHO, KOFU,YAMANASHI, JAPAN

(d) Name and address of Principal Organization ITSUMIYA COMPANY LIMITED, 4-21-17, KOKUBO, KOFU-CITY, YAMANASHI-PREFECTURE, JAPAN

(e) Place of incorporation JAPAN

(f) Type of Investment Business MANUFACTURING AND SALES OF JAPANESE FOOD AND CONFECTIONERY

(g) Place(s) at which Investment is permitted PLOT NO. 369, MYAY TAING BLOCK NO.49, WARTAYA INDUSTRIAL ZONE, SHWEPYITHA TOWNSHIP, YANGON REGION

(h) Amount of Foreign Capital USD 1.60 MILLION

(i) Period for Foreign Capital brought in WITHIN ONE YEAR FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total amount of capital (Kyat) EQUIVALENT IN KYAT OF USD 2.00 MILLION

(k) Construction period 8 MONTHS

(l) Validity of investment permit 40 YEARS

(m) Form of investment JOINT VENTURE

(n) Name of Company incorporated in Myanmar ITSUMIYA MYANMAR COMPANY LIMITED

Chairman

The Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

# ခွင့်ပြုမိန့်

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော် မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
စာအမှတ် ၂၆၀
ရက်စွဲ ၁၃.၅.၂၀၁၅

ခွင့်ပြုမိန့်အမှတ် ၉၅၄/၂၀၁၅ ၂၀၁၅ ခုနှစ် မေလ ၁၃ ရက်

ပြည်ထောင်စု သမ္မတမြန်မာနိုင်ငံတော် နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃ ပုဒ်မခွဲ(ခ)အရ ဤခွင့်ပြုမိန့်ကိုမြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်ကထုတ်ပေးလိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူ၏အမည် MR. SHIGERU SUGIMURA

(ခ) နိုင်ငံသား JAPANESE

(ဂ) နေရပ်လိပ်စာ 13-10 TENGINCHO, KOFU, YAMANASHI, JAPAN

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ ITSUMIYA COMPANY LIMITED, 4-21-17, KOKUBO, KOFU-CITY, YAMANASHI-PREFECTURE, JAPAN

(င) ဖွဲ့စည်းရာအရပ် ဂျပန်နိုင်ငံ

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား ဂျပန်အစားအစာနှင့်မုန့်ထုတ်လုပ်ရောင်းချခြင်း လုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ် ၃၆၉၊ မြေတိုင်း ရပ်ကွက်အမှတ် ၄၉၊ ဝါးတစ်ရာစက်မှုဇုန်၊ ရွှေပြည်သာမြို့နယ်၊ ရန်ကုန်တိုင်း ဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၁.၆၀သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိသည့်နေ့မှ ၁ နှစ် အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၂.၀၀ သန်း နှင့်ညီမျှသော မြန်မာကျပ်ငွေ

(ဋ) တည်ဆောက်မှုကာလ ၈လ

(ဌ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း ၄၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် ITSUMIYA MYANMAR COMPANY LIMITED

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
No.(1), THITISAR ROAD, YANKIN TOWNSHIP, YANGON

Our ref : DICA-2/FI-120/ 2015(360 ) Tel: 95-01-658127
Date : 13th May 2015 Fax: 95-01-658136

Subject : Decision of the Myanmar Investment Commission on the Proposal for "Manufacturing and Sales of Japanese Food and Confectionery " under the name of "Itsumiya Myanmar Company Limited"

Reference: Itsumiya Myanmar Company Limited Letter dated (10-2-2015)

1. The Myanmar Investment Commission, at its meeting (7/2015) held on (28-4-2015) had approved the proposal for investment in "Manufacturing and Sales of Japanese Food and Confectionery" under the name of "Itsumiya Myanmar Company Limited" submitted as a Joint Venture between Itsumiya Company Limited (80%) from Japan and U Kyi Lwin (10%) and Daw Su Su Mar @Daw Nyo Nyo Nyein (10%) from the Republic of the Union of Myanmar.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to Foreign Investment Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 40 (forty) years. The land lease term is initial 40 (forty) years and extendable for 10(ten) years in 2(two) times commencing from the date of signing of the Lease Agreement between U Kyi Lwin and Itsumiya Myanmar Company Limited.

4. The annual rent for the land shall be USD 41,116 (United States Dollar forty-one thousand, one hundred and sixteen only) of the land measuring 8223..212 square meters (2.032 acres).

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per Chapter XII, section 27(a),(h), (i) and (k) of the

9. Itsumiya Myanmar Company Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

10. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be granted more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, emergency of State condition, insurgency and outbreak of wars.

11. As per Chapter X, Rule 63 of the Foreign Investment Rules, if the investor cannot construct completely in time during the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

12. The commercial date of operation shall be reported to the Commission.

13. Itsumiya Myanmar Company Limited shall endeavour to meet the targets for production stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Foreign Investment Law and Itsumiya Myanmar Company Limited has to follow the existing Labour Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section 2(i) of the Foreign Investment Law, other than foreign currency.

16. Whenever Itsumiya Company Limited brings in foreign capital defined under Chapter I, section 2 (i) of the Foreign Investment Law, other than foreign currency in the manner of paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. Itsumiya Myanmar Company Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. Itsumiya Myanmar Company Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. Itsumiya Myanmar Company Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities

in accordance with this EMP and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

20. After getting permit from Myanmar Investment Commission, Itsumiya Myanmar Company Limited shall have to be registered at the Directorate of Industrial Supervision and Inspection.

21. After getting permit from Myanmar Investment Commission, Itsumiya Myanmar Company Limited must follow National Food Law and it is necessary to get the permission of Food and Drug Administration (FDA) under Ministry of Health.

22. Itsumiya Myanmar Company Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments and also to appoint fire safety officer.

23. Itsumiya Myanmar Company Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)
Chairman

**Itsumiya Myanmar Company Limited**

cc:
1. Office of the Union Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs
4. Ministry of Environmental Conservation and Forestry
5. Ministry of Electric Power
6. Ministry of Immigration and Population
7. Ministry of Industry

8. Ministry of Commerce
9. Ministry of Health
10. Ministry of Finance
11. Ministry of National Planning and Economic Development
12. Ministry of Labour, Employment and Social Security
13. Central Bank of Myanmar
14. Office of the Yangon Regional Government
15. Director General, Fire Service Department
16. Director General, Department of Environmental Conservation
17. Managing Director, Myanma Electric Power Enterprise
18. Director General, Immigration and National Registration Department
19. Director General, Directorate of Industrial Supervision and Inspection
20. Managing Director , Pharmaceutical and Foodstuff Industries
21. Director General, Directorate of Trade
22. Director General, Food and Drug Administration (FDA)
23. Director General, Customs Department
24. Director General, Internal Revenue Department
25. Director General, Directorate of Investment and Company Administration
26. Director General, Directorate of Labour
27. Managing Director, Myanma Foreign Trade Bank
28. Managing Director, Myanma Investment and Commercial Bank
29. Managing Director, Myanma Insurance
30. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)

Form (2)
941-A
1.12.2015

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

# PERMIT

Permit No. 1049 / 2015 Date 1st, December 2015

This Permit is issued by the Myanmar Investment Commission according to the section 13 (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter U EIN YAR

(b) Citizenship MYANMAR

(c) Address NO.82, PADAUK ROAD, AYE YEIK MON HOUSING, HLAING TOWNSHIP, YANGON

(d) Name and Address of Principal Organization MYAY LATT THAR GENERAL TRADING CO-OP LIMITED, NWAR GUU VILLAGE, MAGWAY-TAUNG DWINGYI ROAD, MAGWAY

(e) Place of incorporation MYANMAR

(f) Type of Investment Business MANUFACTURING AND MARKETING OF ROASTED SESAME OIL AND HUSKLESS SESAME SEEDS

(g) Place(s) at which investment is permitted HOLDING NO. 129/2 AND 130, KWIN NO.1646 NWAR GUU MYAUK, SARTINEKAN VILLAGE TRACT, MAGWAY TOWNSHIP, MAGWAY REGION

(h) Amount of Foreign Capital US$ 2.94 MILLION

(i) Period for Foreign Capital Brought in WITHIN 2 YEARS FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 6 MILLION (INCLUDING US$ 2.94 MILLION)

(k) Construction period 1 YEAR

(l) Validity of Investment Permit 30 YEARS

(m) Form of Investment JOINT VENTURE

(n) Name of Company Incorporated in Myanmar PARAGON MYAY LATT THAR COMPANY LIMITED

Chairman

The Myanmar Investment Commission

# ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
# မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
## ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၁၀၄၉ / ၂၀၁၅     ၂၀၁၅ ခုနှစ်၊ ဒီဇင်ဘာလ ၁ ရက်

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော် နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ(ခ)အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေး လိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူအမည် — ဦးအင်းယား

(ခ) နိုင်ငံသား — မြန်မာ

(ဂ) နေရပ်လိပ်စာ — အမှတ်-၈၂၊ ပိတောက်လမ်း၊ အေးရိပ်မွန်အိမ်ရာ၊ လှိုင်မြို့နယ်၊ ရန်ကုန်မြို့

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ — မြေလတ်သား အထွေထွေ စီးပွားရေး သမဝါယမ အသင်းလီမိတက်၊ နွားကူးကျေးရွာ၊ မကွေး-တောင်တွင်းကြီးလမ်း၊ မကွေးမြို့

(င) ဖွဲ့စည်းရာအရပ် — မြန်မာနိုင်ငံ

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား — တန်ဖိုးမြှင့် နှမ်းနှင့် နှမ်းလှော်ဆီမွှေး ထုတ်လုပ်ရောင်းချခြင်း လုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) — ဦးပိုင်အမှတ်- ၁၂၉/၂+ ၁၃၀၊ ကွင်းအမှတ် ၁၆၄၆ နွားကူးမြောက် ၊ ဆားတိုင်ကန်ကျေးရွာအုပ်စု၊ မကွေးမြို့နယ်၊ မကွေးတိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ — အမေရိကန်ဒေါ်လာ ၂.၉၄ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ — ကော်မရှင်ခွင့်ပြုမိန့်ရရှိသည့်နေ့မှ (၂) နှစ် အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) — အမေရိကန်ဒေါ်လာ ၆ သန်း နှင့်ညီမျှသော မြန်မာကျပ်ငွေ (အမေရိကန်ဒေါ်လာ ၂.၉၄ သန်း အပါအဝင်)

(ဋ) တည်ဆောက်မှုကာလ — ၁ နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံမှုခွင့်ပြုသည့် သက်တမ်း — ၃၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ — ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင်ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် — PARAGON MYAY LATT THAR COMPANY LIMITED

ဥက္ကဋ္ဌ

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR
**MYANMAR INVESTMENT COMMISSION**
No.(1), THITISAR ROAD, YANKIN TOWNSHIP, YANGON

Our ref : DICA-2/FI-111/ 2015(941-A) Tel: 95-01-658127
Date : 1st December 2015 Fax: 95-01-658136

**Subject : Decision of the Myanmar Investment Commission on the Proposal for "Manufacturing and Marketing of Roasted Sesame Oil and Huskless Sesame Seeds" under the name of "Paragon Myay Latt Thar Company Limited"**

Reference: Paragon Myay Latt Thar Company Limited Letter dated(16-2-2015)

1. The Myanmar Investment Commission, at its meeting (20/2015) held on (13-11-2015) had approved the proposal for investment in "Production and Sales of Roasted Sesame Oil and Huskless Sesame Seeds" under the name of "Paragon Myay Latt Thar Company Limited" submitted as a Joint Venture between Myay Latt Thar General Trading Co-op Limited (51%) from the Republic of the Union of Myanmar and Mr. Chen Wen-Nan (13%), Mr. Chen Hsi-Ming (12%), Mr. Wang Tien-Ting (12%) and Mr. Chen Jui-Li (12%) from the Republic of China.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to Foreign Investment Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 30 (thirty) years. The land lease term is initial 30 (thirty) years from the date of signing of the Lease Agreement between U Bo Aung, Chairman of Union Cooperative Syndicates (Magway) (Lessor) and Paragon Myay Latt Thar Company Limited (Lessee).

4. The annual rent for the land shall be Kyat 5,000,000 (Kyat five million only) for first five-year and the rate of rent shall be increased 10% after every 5 (five) years period of the land measuring 14,336.36 square meters (3.55 acres).

5. In issuing this "Permit," the Commission has granted, the following, exemptions and reliefs as per Chapter XII, section 27(a),(h), (i) and (k) of the Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section 27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial production;

(b) As per section 27(h), exemption or relief from customs duty or other internal taxes or both on machinery, equipment, instruments, machinery components, spare parts and materials used in the business, which are imported as they are actually required for use during the period of construction of business;

(c) As per section 27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section 27(k), exemption or relief from commercial tax on the goods produced for export.

6. Paragon Myay Latt Thar Company Limited shall have to sign the Lease Agreement with U Bo Aung, Chairman of Union Cooperative Syndicates (Magway). Moreover, Myay Latt Thar General Trading Co-op Limited shall have to sign the Joint Venture Agreement with Mr. Chen Wen-Nan, Mr. Chen Hsi-Ming, Mr. Wang Tien-Ting and Mr. Chen Jui-Li. After signing such Agreements, each of (5)copies shall have to be forwarded to the Commission.

7. Paragon Myay Latt Thar Company Limited in consultation with the Company Division, Directorate of Investment and Company Administration shall have to be registered. After registration, (5)copies each of Certificate of Incorporation and Memorandum of Association and Articles of Association shall have to be forwarded to the Commission.

8. Paragon Myay Latt Thar Company Limited shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has

been commenced within one year from the date of issue of this "Permit" it shall become null and void.

9. Paragon Myay Latt Thar Company Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

10. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be granted more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, emergency of State condition, insurgency and outbreak of wars.

11. As per Chapter X, Rule 63 of the Foreign Investment Rules, if Paragon Myay Latt Thar Company Limited cannot construct completely in time during the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

12. The investor or promoter shall apply the commencement date of commercial operation with Form (11) for their manufacturing business and report to the Commission in accordance with Rule 97.

13. Paragon Myay Latt Thar Company Limited shall endeavour to meet the targets for production and for export stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Foreign Investment Law and Paragon Myay Latt Thar Company Limited has to follow the existing Labour Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section 2(i) of the Foreign Investment Law, other than foreign currency.

16. Whenever Paragon Myay Latt Thar Company Limited brings in foreign capital defined under Chapter I, section 2 (i) of the Foreign Investment Law, other than foreign currency in the manner of paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. Paragon Myay Latt Thar Company Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. Paragon Myay Latt Thar Company Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. Paragon Myay Latt Thar Company Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct Environmental Management Plan (EMP) which describe the measure to be taken for

preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

20. After getting permit from Myanmar Investment Commission, Paragon Myay Latt Thar Company Limited shall have to be registered at the Directorate of Industrial Supervision and Inspection.

21. After getting permit from Myanmar Investment Commission, Paragon Myay Latt Thar Company Limited must follow National Food Law and it is necessary to get the permission of Food and Drug Administration (FDA) under Ministry of Health.

22. Paragon Myay Latt Thar Company Limited shall have to abide by the Fire Service Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments.

23. Payment of principal and interest of the loan (if any) as well as payment for import of raw materials and spare parts etc., shall be made either out of the local sales or from export earnings of Paragon Myay Latt Thar Company Limited.

24. Paragon Myay Latt Thar Company Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)
Chairman

Managing Director
Paragon Myay Latt Thar Company Limited

cc: 1. Office of the Government of the Republic of the Union of Myanmar

2. Ministry of Home Affairs
3. Ministry of Foreign Affairs
4. Ministry of Environmental Conservation and Forestry
5. Ministry of Electric Power
6. Ministry of Immigration and Population
7. Ministry of Industry
8. Ministry of Commerce
9. Ministry of Finance
10. Ministry of National Planning and Economic Development
11. Ministry of Construction
12. Ministry of Labour, Employment and Social Security
13. Central Bank of Myanmar
14. Office of the Magway Region Government
15. Director General, Department of Environmental Conservation
16. Director General, Forest Department
17. Director General, Immigration and National Registration Department
18. Director General, Directorate of Industrial Supervision and Inspection
19. Director General, Directorate of Trade
20. Director General, Customs Department
21. Director General, Internal Revenue Department
22. Director General, Directorate of Investment and Company Administration
23. Director General, Directorate of Labour
24. Director General, Fire Service Department
25. Managing Director, Myanma Electric Power Enterprise
26. Managing Director, Myanma Foreign Trade Bank
27. Managing Director, Myanma Investment and Commercial Bank
28. Managing Director, Myanma Insurance
29. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)

# ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
# မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

စာအမှတ်၊ရက-၂/န-၁၁၁ /၂၀၁၅ ( ၈၄၄ )
ရက်စွဲ ၊ ၂၀၁၅ ခုနှစ် နိုဝင်ဘာလ ၉ ရက်

## မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်သို့ တင်ပြသည့်
## အမှာစာ

အကြောင်းအရာ ။ **ဖက်စပ်နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှုဖြင့် ပါရာဂွန်မြေလတ်သား ကုမ္ပဏီ လီမိတက် တည်ထောင်၍ တန်ဖိုးမြှင့် နှမ်းနှင့်နှမ်းလှော်ဆီမွှေး ထုတ်လုပ်ခြင်း ရောင်းချခြင်း လုပ်ငန်း ဆောင်ရွက်ခွင့် ပြုပါရန် အဆိုပြု တင်ပြလာခြင်း ကိစ္စ**

၁။ မြန်မာနိုင်ငံ Myay Latt Thar General Trading CO-OP LTD မှ ၅၀% ၊ တရုတ်နိုင်ငံ Mr. Chen Wen-Nan မှ ၁၃%၊ Mr. Chen Hsi-Ming မှ ၁၂%၊ Mr. Wang Tien-Ting မှ ၁၂%၊ Mr. Chen Jui-Li မှ ၁၂% အစုရှယ်ယာများ ထည့်ဝင်ကာ နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေအရ ဖက်စပ် နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှုဖြင့် မြန်မာနိုင်ငံတွင် ပါရာဂွန်မြေလတ်သား ကုမ္ပဏီလီမိတက် တည်ထောင်၍ မကွေးတိုင်းဒေသကြီး သမဝါယမ အသင်းစုချုပ်ရုံး၏ ဦးပိုင်အမှတ် (၁၂၉/၂)၊ ဦးပိုင်အမှတ် (၁၃၀)၊ ကွင်း အမှတ် (၁၆၄၆/နွားကူးမြောက်)၊ ဆားတိုင်ကန်ကျေးရွာအုပ်စု၊ မကွေးမြို့နယ်၊ မကွေးခရိုင်၊ မကွေးတိုင်း ဒေသကြီးရှိ စုစုပေါင်း ယာမြေ ဧရိယာ (၃.၅၅) ဧက နှင့် ယင်းမြေပေါ်ရှိ တန် (၃၀) ဆီစက်တို့အား ငှားရမ်း၍ တန်ဖိုးမြှင့်နှမ်းနှင့် နှမ်းလှော်ဆီမွှေး ထုတ်လုပ် ရောင်းချခြင်း လုပ်ငန်း ဆောင်ရွက်ခွင့်ပြုပါရန် မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်သို့ အဆိုပြုတင်ပြလာပါသည်။

၂။ အဆိုပါကိစ္စအား ၂၀၁၅ခုနှစ် ကို ဇွန်လ ၅ ရက်နေ့တွင် ကျင်းပခဲ့သည့် မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှုကော်မရှင်၏ (၁၀/၂၀၁၅)ကြိမ်မြောက် အစည်းအဝေးသို့တင်ပြခဲ့ရာ အစည်းအဝေးမှ"အဆိုပြုလုပ်ငန်း ဆောင်ရွက်ရန် မြေပိုင်ဆိုင် မှုနှင့်စပ်လျဉ်း၍ မကွေးတိုင်းဒေသကြီး သမဝါယမ အသင်းစု (သို့မဟုတ်) သမဝါ ယမဝန်ကြီးဌာနမှ တာဝန်ရှိသူ တစ်ဦးဦးက ကော်မရှင်ရုံးသို့ လာရောက်ရှင်းလင်း ပြောကြားပေးရန်၊ ဤသို့လာရောက်စဉ် လုပ်ငန်းနှင့် ပတ်သက်၍ အသင်းစုပိုင် မြေများကိုရင်းနှီးမြှုပ်နှံမှုလုပ်ငန်း ဆောင်ရွက်ခွင့်ပြုရာတွင် လိုက်နာရမည့် စည်းမျဉ်း စည်းကမ်း၊ လုပ်ထုံးလုပ်နည်းများကို တစ်ပါတည်း ယူဆောင်လာပါရန်" ဆုံးဖြတ်ခဲ့ပါသည်။ **နောက်ဆက်တွဲ (က)**

၃။ ကော်မရှင်၏ (၁၀/၂၀၁၅) အစည်းအဝေး ဆုံးဖြတ်ချက် နှင့်အညီ ပါရာဂွန် မြေလတ်သား ကုမ္ပဏီလီမိတက်မှ မန်နေဂျင်းဒါရိုက်တာ ဦးအင်းယား နှင့် မကွေး တိုင်းဒေသကြီး သမဝါ ယမ

အသင်းစုချုပ်ရုံး ဥက္ကဋ္ဌ၊ ဦးဘိုအောင်တို့မှ ၂၀၁၅ ခုနှစ် စက်တင်ဘာလ ၁၀ ရက်နေ့တွင် မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှုကော်မရှင်သို့ လာရောက်၍ အဆိုပြုလုပ်ငန်း ဆောင်ရွက်မည့် မြေနေရာမှာ မကွေးတိုင်းဒေသကြီး၊ သမဝါယမ အသင်းစုချုပ်ရုံး၏ ပိုင်ဆိုင်မှုဖြစ်ပါကြောင်း၊ ဆီစက်ပါ မြေနေရာ အား နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှုသို့ နှစ် ၃၀ ငှားရမ်းမှုအပေါ် မကွေးတိုင်းဒေသကြီး သမဝါယမ အသင်းစုချုပ် လုပ်ထုံး လုပ်နည်းများအတိုင်း ဒါရိုက်တာအဖွဲ့ အစည်းအဝေး ဆုံးဖြတ်ချက်ဖြင့် သဘောတူ ဆုံးဖြတ်ခဲ့ပါကြောင်း ဆွေးနွေးတင်ပြခဲ့ပြီး မြေပိုင်ဆိုင်မှု အထောက်အထားများနှင့် မကွေးတိုင်း ဒေသကြီး သမဝါယမအသင်းစုချုပ် လီမိတက်၏ ဒါရိုက်တာအဖွဲ့ (စုံညီ)အစည်းအဝေး ဆုံးဖြတ်ချက် မှတ်တမ်း တို့ကို ပူးတွဲတင်ပြခဲ့ပါသည်။ **နောက်ဆက်တွဲ (ခ)**

၄။ မကွေးတိုင်းဒေသကြီး သမဝါယမ အသင်းစုချုပ်မှ အထက်အပိုဒ်၃ပါ ကိစ္စရပ်များနှင့် စပ်လျဉ်း၍ မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှုကော်မရှင်သို့ ဆက်လက်တင်ပြပေးနိုင်ပါရန်နှင့် လိုအပ်သည် များကို ညွှန်ကြားပေးနိုင်ပါရန် သမဝါယမဝန်ကြီးဌာနသို့ အစီရင်ခံ တင်ပြခဲ့ရာ သမဝါယမဝန်ကြီး ဌာနမှ အဆိုပြုလုပ်ငန်းအား ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှုဖြင့် လုပ်ငန်းဆောင်ရွက်ခြင်းကို မူအား ဖြင့် သဘောတူပါကြောင်း၊ ထိုသို့ လုပ်ငန်း ဆောင်ရွက်ရာတွင် သမဝါယမလုပ်ငန်းများ မပျောက် ပျက်ဘဲ ပိုမို တိုးတက်ရန်လည်း လိုအပ်ပါသဖြင့် သင့်တော်သောကာလ၌ Myay Latt Thar Trading Co-op Ltd. တွင် မကွေးတိုင်းသမဝါယမ အသင်းစုချုပ်အား အစုရှယ်ယာ ပါဝင်ခွင့် ပြုစေသင့်ကြောင်း မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်သို့ သဘောထား ပြန်ကြား လာပါသည်။
**နောက်ဆက်တွဲ (ဂ)**

**ဆုံးဖြတ်ရန်အချက်**

၅။ ဖက်စပ်နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှုဖြင့် ပါရာဂွန်မြေလတ်သား ကုမ္ပဏီလီမိတက် တည်ထောင်၍ တန်ဖိုးမြင့် နှမ်းနှင့် နှမ်းလှော်ဆီမွှေး ထုတ်လုပ်ရောင်းချခြင်း လုပ်ငန်း ဆောင်ရွက်ခွင့်ပြုပါရန် မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်သို့ အဆိုပြု တင်ပြလာခြင်းအပေါ် ခွင့်ပြုရန် သဘောတူ-မတူ။

ဥက္ကဋ္ဌ(ကိုယ်စား)
(အောင်နိုင်ဦး၊အတွင်းရေးမှူး)

မိတ္တူကို

ရုံးလက်ခံ



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Form (2)
684-A
5-9-2015

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

# PERMIT

Permit No. 1003 / 2015 Date 5th SEPTEMBER 2015

This Permit is issued by the Myanmar Investment Commission according to the section 13 (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. SIMON MARK ARNOLD

(b) Citizenship CHINESE

(c) Address 239 ALEXANDRA ROAD, SINGAPORE 159930

(d) Name and Address of Principal Organization JARDINE RESTAURANT GROUP MYANMAR PTE. LIMITED, 239 ALEXANDRA ROAD, SINGAPORE 159930

(e) Place of incorporation SINGAPORE

(f) Type of Investment Business PREPARATION, MARKETING, SERVING, AND DELIVERY OF FOOD AND BEVERAGES UNDER THE PIZZA HUT BRAND (INCLUDING DINE-IN AND DELIVERY SERVICES FOR ALL TWELVE OUTLETS)

(g) Place(s) at which investment is permitted PLOT NO. 403- A/19, BLOCK NO. 30-B , CORNER OF DHAMAZEDI ROAD AND SHWE TAUNG KYAR STREET, BAHAN TOWNSHIP, YANGON REGION

(h) Amount of Foreign Capital US$ 1.5 MILLION

(i) Period for Foreign Capital Brought in WITHIN (3) YEARS FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 3.0 MILLION (INCLUDING US$ 1.5 MILLION)

(k) Construction period 6 MONTHS (FOR THE FIRST OUTLET)

(l) Validity of Investment Permit 10 YEARS

(m) Form of Investment JOINT VENTURE

(n) Name of Company Incorporated in Myanmar JARDINE CM RESTAURANT GROUP COMPANY LIMITED

Chairman

The Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

# ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၁၀၀၃ / ၂၀၁၅ ၂၀၁၅ ခုနှစ်၊ စက်တင်ဘာလ ၅ ရက်

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော် နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ(ခ)အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေး လိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူအမည် MR. SIMON MARK ARNOLD

(ခ) နိုင်ငံသား CHINESE

(ဂ) နေရပ်လိပ်စာ 239 ALEXANDRA ROAD, SINGAPORE 159930

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ JARDINE RESTAURANT GROUP MYANMAR PTE. LIMITED, 239 ALEXANDRA ROAD, SINGAPORE 159930

(င) ဖွဲ့စည်းရာအရပ် SINGAPORE

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား Pizza Hut ကုန်အမှတ် တံဆိပ်ဖြင့် (အိမ်တိုင် ရာရောက်ပို့ ဆောင်ပေးခြင်းအပါအဝင်) အစားအသောက်များ ပြင်ဆင်ပေးခြင်း၊ ရောင်းချပေးခြင်းနှင့် ဝန်ဆောင်မှုပေးခြင်း လုပ်ငန်း (နောင်တိုးချဲ့ ဖွင့်လှစ်မည့် ဆိုင်ခွဲ ၁၂ ဆိုင် အပါအဝင်)

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေတိုင်းရပ်ကွက် အမှတ် ၃၀-B၊ မြေကွက်အမှတ် ၄၀၃ A/၁၉၊ ရွှေတောင်ကြားလမ်းနှင့် ဓမ္မစေတီလမ်းထောင့်၊ ဗဟန်းမြို့နယ်၊ ရန်ကုန်တိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၁.၅ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိသည့်နေ့မှ (၃) နှစ် အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန် ဒေါ်လာ ၃.၀ သန်း နှင့်ညီမျှသော မြန်မာ ကျပ်ငွေ (အမေရိကန်ဒေါ်လာ ၁.၅ သန်း အပါအဝင်)

(ဋ) တည်ဆောက်မှုကာလ ၆ လ (ပထမဆိုင်အတွက်)

(ဌ) ရင်းနှီးမြှုပ်နှံမှုခွင့်ပြုသည့် သက်တမ်း ၁၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင်ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် JARDINE CM RESTAURANT GROUP COMPANY LIMITED

ဥက္ကဋ္ဌ

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

Republic of the Union of Myanmar ★ Myanmar Investment Commission ★
Sr.No. 684-A
Date 5.9.2015

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
No.(1), THITISAR ROAD, YANKIN TOWNSHIP, YANGON

Our ref : DICA-2/FI-125/ 2015(684-A) Tel: 95-01-658127
Date : 5th September 2015 Fax: 95-01-658136

**Subject :** Decision of the Myanmar Investment Commission on the Proposal for "Preparation, Marketing, Serving and Delivery of Food and Beverages under the Pizza Hut Brand (including Dine-in and Delivery Services for all twelve Outlets)" under the name of **"Jardine CM Restaurant Group Company Limited"**

Reference: Jardine CM Restaurant Group Company Limited Letter dated (7-5-2015)

1. The Myanmar Investment Commission, at its meeting (15/2015) held on (21-8-2015) had approved the proposal for investment in "Preparation, Marketing, Serving Delivery and Catering of Food and Beverages under the Pizza Hut Brand (including Dine-in and Delivery Services for all twelve Outlets)" under the name of "Jardine CM Restaurant Group Company Limited" submitted as a Joint Venture between CM Foods Company Limited (50%) from the Republic of the Union of Myanmar and Jardine Restaurant Group Myanmar Pte. Limited (50%) from Singapore.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to Foreign Investment Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 10 (ten) years and commencing from the date of the issuance of Myanmar Investment Commission's permit. The land lease term is initial 3 (three) years and from the date of signing of the Lease Agreement between Daw Tin Tin Khin, Daw Win Win Tint (Lessor) and Jardine CM Restaurant Group Company Limited (Lessee).

4. The annual rent for the land and building shall be Kyat 90 million of the total area measuring 0.10 acres (444 square meters). The rate of rent shall be

increased by (10%) ten per cent during the period from 1st September 2016 to 31st August 2017 and another (10%) ten percent during the period from 1st September 2017 to 31st August 2018.

5. Jardine CM Restaurant Group Company Limited shall pay service charge of Kyat 538 per square meter of internal space per month to the lessor excluding outdoor space.

6. In issuing this "Permit," the Commission has granted, the following exemptions and reliefs as per Chapter XII, section 27(a) and (b) of the Foreign Investment Law;

(a) As per section 27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial production;

(b) As per section 27(b), exemptions or reliefs from income tax on profits of the business if they are maintained for reinvestment in a reserve fund and reinvested therein within 1 year after the reserve is made;

However, Jardine CM Restaurant Group Company Limited is not entitled to enjoy exemptions and reliefs on customs duty and commercial tax as stipulated in Notification No. 51/2014 of the Myanmar Investment Commission.

7. Jardine CM Restaurant Group Company Limited shall have to sign the Lease Agreement with Daw Tin Tin Khin and Daw Win Win Tint. Jardine Restaurant Group Myanmar Pte. Limited shall have to sign the Joint Venture Agreement with CM Foods Company Limited. In addition, Pizza Hut Restaurants Asia Pte. Limited (Franchisor) shall have to sign the Franchise Agreement with Jardine CM Restaurant Group Company Limited (Franchisee) according to the International Franchise Agreement of Yum Restaurants International. After signing such Agreements, each of (5)copies shall have to be forwarded to the Commission.

8. Jardine CM Restaurant Group Company Limited in consultation with the Division of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5)copies each of Certificate of Incorporation and Memorandum of Association and Articles of Association shall have to be forwarded to the Commission.

9. Jardine CM Restaurant Group Company Limited shall use its best efforts for timely realization of works stated in the Proposal. If none of such works

has been commenced within one year from the date of issue of this "Permit" it shall become null and void.

10. Jardine CM Restaurant Group Company Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

11. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be granted more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, emergency of State condition, insurgency and outbreak of wars.

12. As per Chapter X, Rule 63 of the Foreign Investment Rules, if the investor cannot construct completely in time during the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

13. The commercial date of operation shall be reported to the Commission.

14. Jardine CM Restaurant Group Company Limited shall endeavour to meet the targets for production in the proposal as the minimum target.

15. Jardine CM Restaurant Group Company Limited shall extend its each outlet and report the intended date of opening for each new outlet to the Commission.

16. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Foreign Investment Law and Jardine CM Restaurant Group Company Limited has to follow the existing Labour Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

17. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section 2(i) of the Foreign Investment Law, other than foreign currency.

18. Whenever Jardine CM Restaurant Group Company Limited brings in foreign capital defined under Chapter I, section 2 (i) of the Foreign Investment Law, other than foreign currency in the manner of paragraph 17(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

19. Jardine CM Restaurant Group Company Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

20. Jardine CM Restaurant Group Company Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

21. Jardine CM Restaurant Group Company Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct Initial Environmental Examination(IEE) and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

22. After getting permit from Myanmar Investment Commission, Jardine CM Restaurant Group Company Limited shall apply for required license at the Department of Health and Yangon City Development Committee.

23. Jardine CM Restaurant Group Company Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments and also to appoint fire safety officer.

24. For registration and obtaining necessary license to operate the proposed business, Jardine CM Restaurant Group Company Limited shall follow other related Laws, Rules and Regulations and the procedures of the respective Ministries.

25. Jardine CM Restaurant Group Company Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)
Chairman

**Jardine CM Restaurant Group Company Limited**

cc:
1. Office of the Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs
4. Ministry of Environmental Conservation and Forestry
5. Ministry of Electric Power
6. Ministry of Labour, Employment and Social Security
7. Ministry of Industry
8. Ministry of Commerce
9. Ministry of Health
10. Ministry of Finance
11. Ministry of National Planning and Economic Development
12. Ministry of Labour, Employment and Social Security
13. Central Bank of Myanmar
14. Office of Yangon Regional Government
15. Director General, Fire Service Department
16. Director General, Department of Environmental Conservation
17. Managing Director, Myanma Electric Power Enterprise
18. Director General, Immigration and National Registration Department
19. Director General, Directorate of Industrial Supervision and Inspection
20. Director General, Directorate of Trade
21. Director General, Food and Drug Administration (FDA)

22. Director General, Customs Department
23. Director General, Internal Revenue Department
24. Director General, Directorate of Investment and Company Administration
25. Director General, Directorate of Labour
26. Managing Director, Myanma Foreign Trade Bank
27. Managing Director, Myanma Investment and Commercial Bank
28. Managing Director, Myanma Insurance
29. Head of Division, Department of Health, Yangon City Development Committee
30. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)

Form (2)

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26th - 3 - 2016

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

# PERMIT

Permit No. 1107 / 2016 Date 26th, March 2016

This Permit is issued by the Myanmar Investment Commission according to the section 13 (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR.KITTITOUCH PATTANAKITTIPONG

(b) Citizenship THAILAND

(c) Address 50/1 VILLAGE NO.2, SAI NOI-BANG BUA THONG ROAD, SAI NOI SUB-DISTRICT, SAI NOI DISTRICT, NONTHABURI PROVINCE, THAILAND

(d) Name and Address of Principal Organization EAST-WEST INTERNATIONAL B.V., HEILIGEWEG 18, 1601 PN, ENKHUIZEN, THE NETHERLANDS

(e) Place of incorporation NETHERLANDS

(f) Type of Investment Business SEEDS PRODUCTION AND PROCESSING, RESEARCH AND DEVELOPMENT, MARKETING OF VEGETABLE AND FRUIT SEEDS

(g) Place(s) at which investment is permitted KWIN NO. 511-B, 519-A, NYAUNG HNAPIN VILLAGE TRACT, HMAWBI TOWNSHIP AND KWIN NO.987, KYARINN TRACT, KWIN NO.977 WEST KALIHTAW VILLAGE TRACT, HLEGU TOWNSHIP, YANGON REGION

(h) Amount of Foreign Capital US$ 6.00 MILLION

(i) Period for Foreign Capital Brought in WITHIN 5 YEARS AFTER RECEIVING MIC PERMIT

(j) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OFUS$ 6.00 MILLION

(k) Construction period 24 MONTHS

(l) Validity of Investment Permit 30 YEARS

(m) Form of Investment WHOLLY FOREIGN OWNED INVESTMENT

(n) Name of Company Incorporated in Myanmar EAST-WEST SEED (MYANMAR) COMPANY LIMITED

16/2

Chairman

The Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

# ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၁၁၀၇ /၂၀၁၆ ၂၀၁၆ ခုနှစ် မတ်လ ၂၆ ရက်

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော် နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှုဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ(ခ) အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူ၏အမည် MR.KITTITOUCH PATTANAKITTIPONG

(ခ) နိုင်ငံသား THAILAND

(ဂ) နေရပ်လိပ်စာ 50/1 VILLAGE NO. 2, SAI NOI-BANG BUA THONG ROAD, SAI NOI SUB-DISTRICT, SAI NOI DISTRICT, NONTHABURI PROVINCE, THAILAND

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ EAST-WEST INTERNATIONAL B.V., HEILIGEWEG 18, 1601 PN, ENKHUIZEN, THE NETHERLANDS

(င) ဖွဲ့စည်းရာအရပ် နယ်သာလန်နိုင်ငံ

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား သုတေသနနှင့် ဖွံ့ဖြိုးရေးလုပ်ငန်းစဉ်များ ဆောင်ရွက်ပြီး စိုက်ပျိုးရေးမျိုးစေ့များ ထုတ်လုပ်ခြင်းနှင့် ရောင်းချခြင်း လုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) ကွင်းအမှတ်(၅၁၁-ခ)(၅၁၉-က)၊ ညောင်နှစ်ပင်ကျေးရွာအုပ်စု၊ မှော်ဘီမြို့နယ် နှင့် ကွင်းအမှတ်(၉၈၇)၊ ကြာအင်းအုပ်စု၊ ကွင်းအမှတ်(၉၇၇)၊ ကလီထော် အနောက်ကျေးရွာအုပ်စု၊ လှည်းကူးမြို့နယ်၊ ရန်ကုန်တိုင်း ဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၆.၀၀ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိသည့်နေ့မှ ၅ နှစ်အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၆.၀၀ သန်းနှင့် ညီမျှသော မြန်မာကျပ်ငွေ

(ဋ) တည်ဆောက်မှုကာလ ၂၄ လ အတွင်း

(ဌ) ရင်းနှီးမြှုပ်နှံမှုခွင့်ပြုသည့် သက်တမ်း ၃၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ရာခိုင်နှုန်းပြည့် နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင်ဖွဲ့စည်းမည့်ကုမ္ပဏီအမည် EAST-WEST SEED (MYANMAR) COMPANY LIMITED

ဥက္ကဋ္ဌ

မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

# THE REPUBLIC OF THE UNION OF MYANMAR

## MYANMAR INVESTMENT COMMISSION

No.(1), Thitsar Road, Yankin Township, Yangon

Tel: 01-658127
Fax: 01-658136

Our ref : DICA-2/ FI- 137/ 2016( ၂၇၃-၁ )
Date : 26th March 2016

**Subject : Decision of the Myanmar Investment Commission on the Proposal for "Seeds Production and Processing, Research and Development, Marketing of Vegetable and Fruit Seeds" under the name of East-West Seed (Myanmar) Company Limited**

Reference: East-West Seed (Myanmar) Company Limited Letter dated (27-10-2015)

1. The Myanmar Investment Commission, at its meeting (9/2016) held on (11-3-2016) had approved the proposal for investment in "Seeds Production and Processing, Research and Development, Marketing of Vegetable and Fruit Seeds" under the name of "East-West Seed (Myanmar) Company Limited" submitted as a wholly foreign owned investment by East-West Seed ROH Ltd. (99%) from the Kingdom of Thailand and East-West Seed International B.V (1%) from Netherlands.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to the Republic of the Union of Myanmar Foreign Investment Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 30 (thirty) years and extendable for 10 (ten) years in 2 (two) times commencing from the date of the issuance of Myanmar Investment Commission's permit. The term of the Lease Agreement shall be initial 30 (thirty) years commencing from the date of signing of the Land Lease Agreement between U Htein Win, Managing Director of Shwe Poe

Kaung Trading Company Limited (Lessor) and East-West Seed (Myanmar) Company Limited (Lessee) and extendable for 10 (ten) years in 2 (two) times subject to the approval of the Myanmar Investment Commission.

4. The annual rent for the land shall be US$ 23,269.45(United States Dollar twenty-three thousand, two hundred and sixty-nine and forty-five cent only), calculated at the rate of US$ 1.15 per square meter per year of the total land measuring 5 acres (20234.3 square meters). The rate of the rent shall be reviewed after every three years period and the rent shall be increased by 15% of the preceding annual rent.

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per section 27 (a),(h),(i) and (k) of the Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section-27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial operation;

(b) As per section-27(h), exemption or relief from customs duty or other internal taxes or both on machinery, equipment, instrument, machinery components, spare parts and materials used in the business which are imported as they are actually required for use during period of construction of business;

(c) As per section-27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section-27(k), exemption or relief from commercial tax on the goods produced for export;

6. East-West Seed (Myanmar) Company Limited shall have to sign the Land Lease Agreement with U Htein Win, Managing Director of Shwe Poe Kaung

Trading Company Limited. After signing the Agreement, (5) copies shall have to be forwarded to the Commission.

7. East-West Seed (Myanmar) Company Limited shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit" it shall become null and void.

8. East-West Seed (Myanmar) Company Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

9. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be granted more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, a State of emergency, insurgency and outbreak of wars.

10. As per Chapter X, Rule 63 of the Foreign Investment Rules, if East-West Seed (Myanmar) Company Limited cannot construct completely in time during the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

11. The investor or promoter shall apply the commencement date of commercial operation with Form (11) for their production of seeds and report to the Commission in accordance with Foreign Investment Rule 97.

12. East-West Seed (Myanmar) Company Limited shall endeavour to meet the targets for production and export stated in the proposal as the minimum target.

13. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Foreign Investment Law and East-West Seed (Myanmar) Company Limited has to follow the existing Labour

Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

14. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section-2(i) of the Foreign Investment Law, other than foreign currency.

15. Whenever East-West Seed (Myanmar) Company Limited brings in foreign capital defined under Chapter I, section-2(i) of the Foreign Investment Law, other than foreign currency in the manner of paragraph 14(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

16. East-West Seed (Myanmar) Company Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

17. East-West Seed (Myanmar) Company Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

18. East-West Seed (Myanmar) Company Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and be abided by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

19. East-West Seed (Myanmar) Company Limited shall have to follow the Seed Law, rules, regulation and procedures of Department of Agriculture for seed production, Ministry of Agriculture & Irrigation.

20. After getting permit from Myanmar Investment Commission, East-West Seed (Myanmar) Company Limited shall have to be registered at the Directorate of Industrial Supervision and Inspection.

21. East-West Seed (Myanmar) Company Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments and also to appoint fire safety officer.

22. Payment of principal and interest of the loan as well as payment for import of raw materials and spare parts etc., shall be made either out of the

local sales in Kyat currency and US$ or from export earnings of East-West Seed (Myanmar) Company Limited.

23. East-West Seed (Myanmar) Company Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)

Chairman

**East-West Seed (Myanmar) Company Limited**

cc:
1. Office of the Union Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs
4. Ministry of Agriculture and Irrigation
5. Ministry of Environmental Conservation and Forestry
6. Ministry of Electric Power
7. Ministry of Immigration and Population
8. Ministry of Industry
9. Ministry of Commerce
10. Ministry of Finance
11. Ministry of National Planning and Economic Development
12. Ministry of Labour, Employment and Social Security
13. Central Bank of Myanmar
14. Office of the Yangon Region Government
15. Director General, Fire Service Department
16. Director General, Department of Agriculture

17. Director General, Department of Environmental Conservation
18. Director General, Forest Department
19. Director General, Immigration and National Registration Department
20. Director General, Directorate of Industrial Supervision and Inspection
21. Director General, Customs Department
22. Director General, Internal Revenue Department
23. Director General, Department of Trade
24. Director General, Directorate of Investment and Company Administration
25. Director General, Directorate of Labour
26. Managing Director, Myanma Electric Power Enterprise
27. Managing Director, Myanma Foreign Trade Bank
28. Managing Director, Myanma Investment and Commercial Bank
29. Managing Director, Myanma Insurance
30. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)

# ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
# မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
# ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၁၀၄၈ / ၂၀၁၅ ၂၀၁၅ ခုနှစ်၊ နိုဝင်ဘာလ ၂၉ ရက်

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော် နိုင်ငံခြား ရင်းနှီးမြှုပ်နှံမှု ဥပဒေပုဒ်မ ၁၃၊ ပုဒ်မခွဲ(ခ)အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည်-

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူ၏အမည် MR. AJAY KUMAR DHAR

(ခ) နိုင်ငံသား SINGAPOREAN

(ဂ) နေရပ်လိပ်စာ 55 MERRYN ROAD, SINGAPORE 298503

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ WOODCRAFT INTERNATIONAL PTE. LTD., 143, CECIL STREET, #07-00 GB BUILDING, SINGAPORE 069542

(င) ဖွဲ့စည်းရာအရပ် စင်ကာပူနိုင်ငံ

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား သစ်မာသစ်ပါးလွှာ နှင့် ကျွန်းသစ်ပါးလွှာများ ထုတ်လုပ်ရောင်းချခြင်း လုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ် ၅၀(ခ)+၅၁၊ မြေတိုင်းရပ်ကွက်အမှတ်အပိုင်း (၃)၊ လှိုင်သာယာ စက်မှုဇုန်၊ လှိုင်သာယာမြို့နယ်၊ ရန်ကုန်တိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်းပမာဏ အမေရိကန်ဒေါ်လာ ၃.၇၅ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိသည့်နေ့မှ (၃) နှစ် အတွင်း

(ည) စုစုပေါင်းမတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၇.၅၀ နှင့်ညီမျှသော မြန်မာကျပ်ငွေ (အမေရိကန်ဒေါ်လာ ၃.၇၅သန်း အပါအဝင်)

(ဋ) တည်ဆောက်မှုကာလ ၁ နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံမှုခွင့်ပြုသည့် သက်တမ်း ၃၀ နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ပ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် GLOBAL WOODCRAFT INDUSTRIES LIMITED

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

Form (2)

909-a
19.11.2015

THE REPUBLIC OF THE UNION OF MYANMAR

The Myanmar Investment Commission

# PERMIT

Permit No. 1048 / 2015 Date 19th, November 2015

This Permit is issued by the Myanmar Investment Commission according to the section 13 (b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. AJAY KUMAR DHAR

(b) Citizenship SINGAPOREAN

(c) Address 55 MERRYN ROAD, SINGAPORE 298503

(d) Name and Address of Principal Organization WOODCRAFT INTERNATIONAL PTE. LTD., 143, CECIL STREET, #07-00 GB BUILDING, SINGAPORE 069542

(e) Place of incorporation SINGAPORE

(f) Type of Investment Business MANUFACTURING AND MARKETING OF HARDWOOD VENEER AND TEAK VENEER

(g) Place(s) at which investment is permitted PLOT NO. 50 (B) & 51, MYAY TAING BLOCK NO. PART (3), HLAING THARYAR INDUSTRIAL ZONE, HLAING THARYAR TOWNSHIP, YANGON

(h) Amount of Foreign Capital US$ 3.75 MILLION

(i) Period for Foreign Capital Brought in WITHIN 3 YEARS AFTER RECEIVING MIC PERMIT

(j) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 7.51 MILLION (INCLUDING US$ 3.75 MILLION)

(k) Construction period 1 YEAR

(l) Validity of Investment Permit 30 YEARS

(m) Form of Investment JOINT VENTURE

(n) Name of Company Incorporated in Myanmar GLOBAL WOODCRAFT INDUSTRIES LIMITED

Chairman

The Myanmar Investment Commission

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
No.(1), Thitsar Road, Yankin Township, Yangon

Our ref : DICA-2/ FI- 127/ 2015(904-a) Tel: 01-658127
Date : 19th November 2015 Fax: 01-658136

**Subject :** **Decision of the Myanmar Investment Commission on the Proposal for "Manufacturing and Marketing of Hardwood Veneer and Teak Veneer" under the name of Global Woodcraft Industries Limited**

Reference: Global Woodcraft Industries Limited Letter dated (11-8-2015)

1. The Myanmar Investment Commission, at its meeting (20 /2015) held on (13-11-2015) had approved the proposal for investment in "Manufacturing and Marketing of Hardwood Veneer and Teak Veneer" under the name of "Global Woodcraft Industries Limited" submitted as a Joint Venture between Global Star Company Limited (50%) from the Republic of the Union of Myanmar and Woodcraft International Pte. Ltd. (50%) from Singapore.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to the Republic of the Union of Myanmar Foreign Investment Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 30 (thirty) years and extendable for 10 (ten) years in 2 (two) times. The term of the lease shall be initial 30 (thirty) years and extendable for 10 (ten) years in 2 (two) times commencing from the date of signing of the Land Lease Agreement between the Department of Urban and Housing Development (Lessor), Ministry of Construction and Global Woodcraft Industries Limited (Lessee). On the expiry of the lease period, or termination of the Land Lease Agreement, Global Woodcraft Industries Limited shall transfer the leased land including immovable properties without any

consideration to the Lessor within 3(three) months in good condition, ground damages having been refilled or repaired.

4. The annual rent for the land and building shall be US$ 85,008.36(United States Dollar eighty five thousand and eight and thirty six cents only), calculated at the rate of US$ 6.00 per square meter per year of the total land measuring 3.501 acres (14,168.06 square meters). The rate of the rent shall be revised in view of prevailing land lease rates after every five years period and increase of the rent shall not be more than 15% (fifteen percent) of the preceding annual rent.

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per section 27 (a), (h), (i) and (k) of the Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section-27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial operation;

(b) As per section-27(h), exemption or relief from customs duty or other internal taxes or both on machinery, equipment, instrument, machinery components, spare parts and materials used in the business which are imported as they are actually required for use during period of construction of business;

(c) As per section-27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section-27(k), exemption or relief from commercial tax on the goods produced for export;

6. Global Woodcraft Industries Limited shall have to sign the Lease Agreement for land and building with the Department of Urban and Housing Development. Moreover, Global Star Company Limited shall have to sign the

Joint Venture Agreement with Woodcraft International Pte. Ltd. After signing such Agreements, each of (5) copies shall have to be forwarded to the Commission.

7. Global Woodcraft Industries Limited shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit" it shall become null and void.

8. Global Woodcraft Industries Limited has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

9. As per Chapter X, Rule 61 of the Foreign Investment Rules, extension of construction period shall not be allowed more than twice except it is due to unavoidable events such as natural disasters, instabilities, riots, strikes, emergency of State condition, insurgency and outbreak of wars.

10. As per Chapter X, Rule 63 of the Foreign Investment Rules, if Global Woodcraft Industries Limited cannot construct completely in time the construction period or extension period, the Commission will have to withdraw the permit issued to the investor and there is no refund for the expenses of the project.

11. The investor or promoter shall apply the commencement date of commercial operation with Form (11) for their manufacturing business and report to the Commission in accordance with Rule 97.

12. The Global Woodcraft Industries Limited is prohibited from importing (if any) the same species of wood available in Myanmar.

13. Global Woodcraft Industries Limited shall endeavour to meet the targets for production and for export stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal and also in accordance with Chapter XI, section 24 and section 25 of the Foreign Investment Law and the Global Woodcraft Industries Limited has to follow the existing Labour Laws

for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rules 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section-2(i) of the Foreign Investment Law, other than foreign currency.

16. Whenever Global Woodcraft Industries Limited brings in foreign capital defined under Chapter I, section-2(i) of the Foreign Investment Law, other than foreign currency in the manner of paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. Global Woodcraft Industries Limited has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 of the Foreign Investment Rules and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. Global Woodcraft Industries Limited shall report to the Commission for any alteration in the physical and financial plan of the project. Cost overrun, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. Global Woodcraft Industries Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct an Initial Environmental Examination (IEE) Process and an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted and to perform activities in accordance with this EMP and be abided by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

20. Global Woodcraft Industries Limited shall have to apply for private owned plantation areas of own consumptions to Forest Department, Ministry of Environmental Conservation and Forestry.

21. After getting permit from Myanmar Investment Commission, Global Woodcraft Industries Limited shall have to be registered at the Directorate of Industrial Supervision and Inspection.

22. Global Woodcraft Industries Limited shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water storage tank, fire extinguishers and provide training to use the fire fighting equipments.

23. Payment of principal and interest of the loan (if any) as well as payment for import of raw materials and spare parts etc., shall be made either out of the local sales or from export earnings of Global Woodcraft Industries Limited.

24. Global Woodcraft Industries Limited in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Zay Yar Aung)

Chairman

**Managing Director**

**Global Woodcraft Industries Limited**

cc:
1. Office of the Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Foreign Affairs
4. Ministry of Environmental Conservation and Forestry
5. Ministry of Electric Power
6. Ministry of Immigration and Population
7. Ministry of Industry
8. Ministry of Commerce
9. Ministry of Finance
10. Ministry of National Planning and Economic Development
11. Ministry of Construction
12. Ministry of Labour, Employment and Social Security
13. Central Bank of Myanmar
14. Office of the Yangon Region Government
15. Director General, Department of Environmental Conservation
16. Director General, Forest Department
17. Director General, Immigration and National Registration Department
18. Director General, Directorate of Industrial Supervision and Inspection
19. Director General, Directorate of Trade
20. Director General, Customs Department
21. Director General, Internal Revenue Department

22. Director General, Directorate of Investment and Company Administration
23. Director General, Department of Urban and Housing Development
24. Director General, Directorate of Labour
25. Director General, Fire Service Department
26. Managing Director, Myanma Timber Enterprise
27. Managing Director, Myanma Electric Power Enterprise
28. Managing Director, Myanma Foreign Trade Bank
29. Managing Director, Myanma Investment and Commercial Bank
30. Managing Director, Myanma Insurance
31. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)